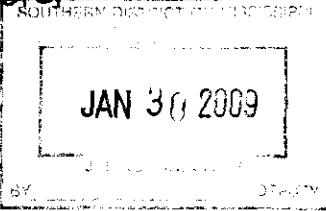


IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



JAMES FARROW

PLAINTIFF

v

CASE NO. 1:05cv326 LG-JMR

GEORGE PAYNE, SR., ET AL

Defendants

Complete Amended complaint

PLAINTIFF James Farrow Pursuant to Rules 15(a) and 19(a) Fed.R.Civ.P. REQUESTS LEAVE TO FILE AN AMENDED COMPLAINT ADDING PARTIES.

1. PLAINTIFF IN THIS COMPLAINT NAMES ALL SOLO DOC DEFENDANTS:

2. SINCE THE FILING OF THE COMPLAINT THE PLAINTIFF HAS DETERMINED THAT THE NAMES OF THE SOLO DOC DEFENDANTS ARE ERNEST THOMAS, ANNIE KELLY, JEFFREY BRAWNER, SONIA POLK, JANET NECAISE, KARL STOLZE, LESLIE MATTHEIS, MARK LAWSON, THOMAS WILLS, PRESTON WILLS, RYAN TEE, ELAINE LEGE, ROBERT MARTIN, JAMES ZUGG, JR., ROBERT MILLER, DR. LARRY COVILLION, STEVE CAMPBELL, AND ARE INCLUDED ONLY WITH THOSE PARAGRAPHS THAT PLAINTIFF ACTUALLY WISH TO CHANGE BELOW.

3. THIS COURT SHOULD GRANT LEAVE FREELY TO AMEND A COMPLAINT, *FORMAN V. DAVES*, 371 U.S. 178, 182, 83 S.Ct 227 (1962); *INTERROGAL CORP. V. SPONSELLER*, 889 F.2d 108, 112 (6TH CIR.) CERT DENIED, 494 U.S. 1091 (1990).

- 1) I HAD MY HANDS ON THE WALL WHEN OFFICER NECAISE WAS TALKING
- 2) OFFICER NECAISE SAID TO EVERY ONE, THIS IS THE WAY IT IS GOING TO BE ALL THE TIME AT THE JAIL.
- 3) THEN OFFICER NECAISE WALKED DIRECTLY OVER AND PUT ME IN A FULNELSON.
- 4) THEN OFFICER NECAISE THREW ME UP AGAINST A IRON BED, WITH NO MATTRESS LAYING ON THE FLOOR.
- 5) OFFICERS NECAISE, TEE, PRESTON WILLS, JEFFREY BRAUNER, MARK LAWSON BEAT ME WITH THEIR FIST, WITH MY HANDS TIED BEHIND MY BACK WHILE OFFICERS ERNEST THOMAS, ANNIE KELLY, LESLIE MATHIS, ELAINE LEGE, ROBERT MARTIN, STOOD BY AND WATCHED, AND KARL STOLZ AND THOMAS WILLS, STEVE CAMPBELL.
- 6) PRESTON WILLS PUT HIS BLACK GLOVES ON AND SPRAYED OC SPRAY ALL OVER ONE IN THE PALM OF HIS HAND
- 7) AND WHEN PRESTON WILLS SAW ME LOOK AT HIM HE PUNCHED ME IN THE EYE AND PULLED MY PANTS DOWN.
- 8) THEN PRESTON WILLS GROUNDED MY GENITALIA WITH THE SPRAYED GLOVE ON HIS HAND WHILE THE OTHER OFFICERS WATCHED.

- 9) PRESTON WILLS GROUNDED MY GENITALIA THREE DIFFERENT TIMES WHILE SAID DEFENDANTS ABOVE BEAT ME AND WATCHED IN THE DAY ROOM.
- 10) I WET MYSELF AFTER THE THIRD GENITALIA BEATING AND PRESTON WILLS SAID STOP [REDACTED] [REDACTED] PEEING THEN HE SHOOK MY LEG AND SAID STOP RESISTING.
- 11) BEATINGS WITH FIST HAPPENED THREE CONTINUES TIMES, IN THE DAY ROOM.
- 12) I WAS NOCKED OUT TWO OR THREE TIMES IN THE DAY ROOM.
- 13) THEY PUT MY PANTS ON.
- 14) NECAISE AND TEE DRAGGED ME DOWN THE HALL BEATING ON ME.
- 15) NECAISE AND TEE TOOK ME TO THE CLINIC DOOR.
- 16) NECAISE AND TEE BEAT MY HEAD UP AGAINST THE FRONT CLINIC DOOR SEVERAL TIMES TO OPEN IT.
- 17) NECAISE AND TEE SAID THAT THERE IS NO JESUS IN HERE.
- 18) THEN NECAISE AND TEE BROUGHT ME TO THE BACK SIDE DOOR TO THE DETENTION BLOCK IN THE CLINIC AND BEAT ME AGAIN, STAFF WOULD NOT LET THEM IN WITHOUT A REPORT
- 19) NECAISE AND TEE DRAGGED ME IN THE DETENTION BLOCK.

- 20) NURSE AND TELL THROUGH ME ON THE FLOOR OF THE CELL.
- 21) NURSE AND TELL BEAT ME AGAIN ON THE FLOOR JUST BEFORE NURSE SONIA POLK CAME IN THE DETENTION BLOCK.
- 22) HAD ON HANCUFFS IN EACH ROOM.
- 23) I TOLD NURSE SONIA POLK ABOUT THE BEATING.
- 24) SHE TOOK ME TO CAPT. TAYLOR.
- 25) I TOLD NURSE SONIA POLK AND CAPT. TAYLOR ABOUT THE SEXUAL BATTERY AND BEATINGS.
- 26) CAPT. TAYLOR SAID FOR NURSE SONIA POLK TO GIVE ME MEDICAL ATTENTION AND FOR SGT THOMAS AND SGT MATHIS THAT I SAW WAS A MAIN SUPERVISOR OF THE CONFRONTATION TO TAKE MY REPORT.
- 27) I WAS TAKEN TO THE HOSPITAL BY OFFICERS JAMES ZUGG, JR. AND ROBERT MILLER HOURS LATER.
- 28) OFFICERS JAMES ZUGG, JR. AND ROBERT MILLER WOULD NOT GIVE THE DOCTOR MY MEDICAL CONDITION WHEN ASK BY DR LARRY COUVILLON.
- 29) OFFICERS JAMES ZUGG, JR. AND ROBERT MILLER DID NOT LET ME SPEAK FOR MYSELF TO THE DOCTOR AND DR LARRY COUVILLON DID NOT ~~■~~ TOUCH ME WHEN I SAID I WAS BRUISED ALL OVER.
- 30) DR LARRY COUVILLON DID NOT TOUCH ME BUT HE SEEN MY EYE AND MADE A APPOINTMENT FOR ME TO SEE THE EYE DOCTOR.

- 31) OFFICER JAMES ZUGG, JR. AND ROBERT MILLER ASSAULTED ME WHEN I SAID THAT I DID NOT WANT TO GO TIL THE DOCTOR HAD SEEN ME FOR THE SEXUAL ASSAULT AND BATTERY WITH OC SPRAY.
- 32) THE ORDERLY OR ARMY PERSONNEL WOULD NOT REPORT MY CONDITION TO THE DOCTORS WHEN I TOLD OR ASK HIM.
- 33) THE ORDERLY OR ARMY PERSONNEL SAID FOR ME TO PUT WATER ON MY GENITALIA FOR THE PAIN.
- 34) PLAINTIFF PUT IN MEDICAL REQUEST AND DID NOT SEE DOCTOR FOR 9 DAYS.

WHEREFORE, PLAINTIFF REQUESTS THAT THE COURT GRANT THE FOLLOWING RELIEF:

A. ISSUE A DECLARATORY JUDGMENT STATING THAT:

- 1.) THE PHYSICAL ABUSE OF THE PLAINTIFF BY DEFENDANTS JEFFREY BRAWNER, JARRED NECAISE, MARK LAWSON, THOMAS WILLS, PRESTON WILLS, RYAN REEL, KARL STOLZE, GEORGE PAYNE, DIANE G. RILEY, WAYNE PAYNE, PHIL TAYLOR, LESLIE MATTHEIS, STEVE CAMPBELL, SGT MARTIN, ELAINE LEGE, JAMES ZUGG, JR., ROBERT MILLER, SQUITA POLK, DR. LARRY COUILLON, VIOLATED THE PLAINTIFF'S RIGHTS UNDER THE EIGHT AMENDMENT TO THE UNITED STATES CONSTITUTION AND CONSTITUTED ASSAULT AND BATTERY UNDER THE LAW.
- 2.) DEFENDANTS GEORGE PAYNE, JR., ET AL., FAILURE TO TAKE ACTION TO CURB THE PHYSICAL ABUSE OF INMATES, VIOLATED ACT USA ET AL VS HARRISON COUNTY, MISS ET AL 1:95cv005 GR, OF THE PLAINTIFF.

- 3) DEFENDANTS GEORGE PAYNE, JR., ET AL., FAILURE TO TAKE ACTION TO CURB THE PHYSICAL ABUSE OF INMATES VIOLATED THE PLAINTIFF'S RIGHTS UNDER THE U.S. CONSTITUTION AND CONSTITUTED AN ASSAULT AND BATTERY UNDER STATE LAW.
- 4) DEFENDANTS GEORGE PAYNE, JR., ET AL., ACTIONS IN CONDUCTING THE PLAINTIFF'S DISCIPLINARY HEARING BY PROMOTING VIOLENCE AND ABUSE VIOLATED THE PLAINTIFF RIGHTS UNDER THE DUE PROCESS ~~CLAUSE~~ OF THE U.S. CONSTITUTION.
- 5) DEFENDANTS GEORGE PAYNE, JR., ET AL ACTIONS IN FAILING TO PROVIDE ADEQUATE MEDICAL CARE FOR THE PLAINTIFF VIOLATED AND CONTINUE TO VIOLATE, THE PLAINTIFF'S RIGHT UNDER THE U.S. CONSTITUTION

B. Award compensatory damages in the following amounts:

\$1200,000 JOINTLY AND SEVERALLY AGAINST DEFENDANTS GEORGE PAYNE, JR., ET AL FOR THE PHYSICAL AND EMOTIONAL INJURIES SUSTAINED AS A RESULT OF THE PLAINTIFF'S BEATINGS AND ABUSES.

C. AWARD PUNITIVE DAMAGES IN THE AMOUNT OF:

1. \$40,000 EACH AGAINST DEFENDANTS GEORGE PAYNE, JR., ET AL.

[REDACTED]

1/28/09

Respectfully SUBMITTED
James

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